

Together With



SUMMER 2007

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Tennessee Legislature Passes The Non-Smoker Protection Act



The Tennessee Non-Smoker Protection Act prohibits smoking in all enclosed public places within the State of Tennessee, except for those specifically exempted. The law requires that the person in control of each public facility clearly and conspicuously post “No Smoking” signs or the international “No Smoking” symbol at every entrance to every public place and place of employment, except for those few specific exempted facilities. They must also inform persons who violate the non-smoking requirement of the provisions of the act. Those who knowingly fail to comply are subject to a written warning for the first violation in any twelve-month period, a fine of \$100 for the second violation in any twelve-month period, and fine of \$500 for a third or subsequent violation in any twelve-month period. A person who knowingly smokes in any area where smoking is prohibited may be fined \$50.

The Act will be enforced jointly by the Department of Health and the Department of Labor and Workforce Development. Anyone desiring to register a complaint about smoking in a public place may do so with either department or both. Enforcement will begin October 1, 2007.

Emergency Response Training

OSHA and its State Plan partners help set and implement national safety and health standards for emergency responders. Foremost among these standards is the Hazardous Waste Operations and Emergency Response standard, 29CFR 1910.120(q). Among other provisions the standard requires that entities engaged in emergency response provide appropriate training to their workers. Whenever the possibility of an uncontrolled release of a hazardous chemical exists in the workplace, employees who will respond from outside the immediate release area must be trained to comply with 1910.120(q). Response to incidental releases that can be controlled by maintenance personnel or personnel working in the immediate release area who have been trained on the chemical hazards according to the Hazard Communication standard, 1910.1200(h), does not qualify as emergency response.

► Continued on Page 2

4 Things to Remember When Working Outdoors This Summer



- 1. Sunlight contains harmful ultraviolet (UV) radiation** that causes premature aging of the skin, wrinkles, cataracts, and skin cancer. There are no safe ultraviolet rays or safe suntans. When working in bright sunlight cover up, i.e., wear loose-fitting, long-sleeved shirts and long pants and use sunscreen with a protection factor of at least 30. Wear a hat and UV-absorbent sunglasses and limit exposure, especially between 10 a.m. and 4 p.m.
- 2. Heat and humidity can be a serious health threat** during the summer months. Drink small amounts of water frequently and wear loose-fitting, light-colored cotton clothing. Take frequent breaks in the shade. Eat smaller meals before work activity and avoid caffeine, alcohol, and large amounts of sugar.

► Continued on Page 3



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newsletter of
the Division of Occupational
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James G. Neeley
Commissioner

John Winkler
TOSHA Administrator

Andrew Johnson Tower
3rd Floor
710 James Robertson Parkway
Nashville, TN
37243-0659

(615)741-2793
FAX (615)741-3325

Accident Reporting
1-800-249-8510
TDD 1-800-475-1351

[www.tennessee.gov
/labor-wfd](http://www.tennessee.gov/labor-wfd)

Editor Sandra Bennett
Layout & Design
Jeff Hentschel

Comments and
suggestions are
welcome.

Inquiries regarding
Together With TOSHA
should be directed to the
TOSHA Division
Training Section:
(615)741-5726



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Emergency Response Training (continued)

Emergency responders must be trained at one of the following levels:

Awareness level—sufficient training to recognize and initiate emergency response situations

Operations level—eight hours of training to be able to contain the release from a safe distance, prevent it from spreading, prevent exposures

Technician—24 hours of training to be able to stop the release

Specialist—24 hours of training to gain specific knowledge of various substances they may have to contain and act as liaison with federal, state, local and other government authorities

Incident commander—24 hours of training to be able to implement the employer's incident command system, the employer's emergency response plan, and the local, state, and federal emergency response plans and to know the hazards of working in chemical protective clothing and the importance of decontamination procedures

Each employee trained for one of these emergency response duties must receive annual refresher training of sufficient content and duration to maintain his/her competencies or shall demonstrate competency at least annually.

What's New at TOSHA?

Federal OSHA has issued notices of rulemaking on three occupational safety and health topics. The general industry Mechanical Power Press standard will get its first major update since it was published in 1971. OSHA's intent is to address the scope of the standard, industry consensus standards, technical issues, cost issues, training requirements, and reporting and recordkeeping requirements.

OSHA is also proposing to revise the Personal Protective Equipment (PPE) sections of its general industry, shipyard employment, longshoring and marine terminals standards regarding the use of eye, face, head, and foot protection. The proposal will replace the existing references to out-of-date consensus standards with performance language that requires PPE to be constructed in accordance with good design standards.

The Explosives and Blasting Agents standard is also under revision with the aim to enhance the protections provided to employees working in the manufacturing, storage, sale, transportation, handling, and use of explosives. The proposal updates and clarifies the regulatory language, revises the standard to be consistent with other federal regulations, incorporates updated consensus standards, and provides the regulated community with greater compliance flexibility.

Update on Sharps Injury Prevention Targeting Initiative

In 2006, TOSHA added a targeting initiative on sharps injury prevention in hospitals and ambulatory surgical treatment centers to our Federal Performance Plan and State Strategic Plan. The goal is to reduce the number of sharps injuries in those Tennessee facilities by 10% over the next five years. Sharps injury logs for 2005 were collected from all covered facilities to serve as a baseline. Training seminars and other outreach programs were conducted before the inspection program began.

The sharps injury logs collected in the first year indicated a myriad of violations of bloodborne pathogen standard principles. Those included recapping of needles, removing contaminated needles, overfilling sharps containers, reaching by hand into containers of contaminated instruments, failure to provide and use safer devices, deficient training, and recordkeeping and paperwork deficiencies. A total of 2,949 sharps injuries were reported.



TOSHA began conducting partial inspections in the targeted industries in October of 2006. They were scheduled from a randomized list of licensed hospitals and ambulatory surgical treatment centers. To date, 27 inspections have been conducted with 179 serious violations cited and \$64,550 of civil penalties proposed. TOSHA is in the process of collecting the sharps injury logs for 2006, and there are signs that sharps injuries in Tennessee are on the decline. Seminars and inspections will continue throughout the year.

4 Things to Remember When Working Outdoors This Summer (CONTINUED)

3. Lyme disease/tick borne diseases are transmitted to people by bacteria from bites of infected deer ticks. Increased risk occurs when outdoor work involves construction, landscaping, brush clearing, etc. Wear long pants and tuck pants legs into socks or high boots. Use tick repellents (but not on your face) and shower after work. Examine your body for ticks after work and remove any attached ticks promptly with fine-tipped tweezers. Do not use petroleum jelly, a hot match, or nail polish to remove the tick.

4. Poison ivy, poison oak, and poison sumac have poisonous sap in their roots, stems, leaves, and fruits. For protection, wear long-sleeved shirts and long pants tucked into boots. Apply barrier creams to exposed skin. Educate workers on signs and symptoms of contact and on identification of the plants. Keep rubbing alcohol accessible as it removes the oily resin up to 30 minutes after exposure.

TOSHA TIPS



Condition: An electrical receptacle installed in a wet or damp location was not suitable for the location.

Potential Effects: Electric shock, burns, and electrocution, from contact with live parts; burns and smoke-related injuries from fire.

Standard: 19 CFR 1910.305(j)(2)(ii)

Recommended Action: Replace the incorrect or damaged receptacle with a receptacle and cover that are suitable for the location, i.e., a ground fault circuit interrupter type receptacle. The receptacle must be in a weatherproof enclosure which retains its integrity when the receptacle is in use (attachment plug cap inserted). Receptacles in weatherproof enclosures, such as those with spring-loaded covers, are available from most electrical supply sources. The floor around the receptacle must be maintained in as dry a condition as possible. Alternatively, discontinue use of this receptacle and blank it off so that it cannot be used.

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EARN & LIVE

A TOSHA Case File Summary

Note: In the past 2 years TOSHA has investigated several fatalities involving falls through skylights. Apparently it is easy for employees to do, and it is easy to prevent. This case file summary is an example.

A 34-year-old worker died when he fell through a skylight while repairing a leak on a roof at a shopping center. The victim and a co-worker were on the roof of a breezeway of the one-story shopping center using caulk to patch a leak. While the co-worker inspected the roof for additional leaks, the victim knelt near the edge of the skylight to caulk a seam. When he finished he stood up and took a step backward and dropped through the fiberglass panel of the skylight. He fell 18 feet to the concrete floor below, sustaining fatal injury.



To prevent such an accident from occurring:

1. Protect each employee from stepping into or through skylights (and other holes) by covers over the skylight (or hole)

OR

2. Protect each employee from stepping into skylights (or holes) from falling by use of a guard rail system around the skylight or hole, a safety net system below the skylight or hole, or a personal fall arrest system.
3. Train each employee who might be exposed to fall hazards so that each employee can recognize the hazards of falling and know how to minimize these hazards.
4. Train employees to always be aware of their surroundings, especially when working on a roof or other elevated work platform.

“Together with TOSHA”
TN Dept. of Labor & Workforce Development
710 James Robertson Parkway
Andrew Johnson Tower, 3rd Floor
Nashville, TN 37243-0659